UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,375	05/25/2001	Ruiguo Yang	2006579-0155	4422

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EXAMINER
NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
2154	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/866,375	YANG ET AL.
	Examiner	Art Unit	
	Dustin Nguyen	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 December 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 20 are presented for examination.

Response to Arguments

2.   Applicant's arguments filed 12/15/2005 have been fully considered but they are not

persuasive.

3.   As per remarks, Applicants' argued that (1) in Clapp, the local host computer does not

instruct the remote host computer to copy the off-screen buffer contents.

4.   As to point (1), Clapp discloses at a local host computer system issues a local draw

command at step 638, which is when the updated pixel data is then copied to the local off-screen

window buffer, and concurrently the transmission of local off-screen window buffer is

transferred over the communication channel 82 to remote host computer system at the same time.

At the receiving end, the remote host computer receives the pixel data from the data pipe 82, and

copied to the remote off-screen window buffer [i.e. instruct or send data to the receiver or

remote host system for copy to the off-screen buffer] [636-658, Figure 12; and col 11, lines 40-

col 12, lines 30].

5.   As per remarks, Applicants' argued that (2) in Hanko, the HID does not copy the tile image into an off-screen buffer.

5.   As to point (2), Hanko discloses the rendering method require the use of off-screen memory to store the tile pattern [i.e. copy the tile image into an off-screen buffer] [col 1, lines 26-29].

6.   As per remarks, Applicants' argued that (3) Hanko does not teach a server instructs the client to copy the graphical data associated with the indicia to a particular location within the first memory region.

7.   As to point (3), it is rejected for similar reasons as disclosed in the previous Office Action. Furthermore, Hanko discloses the service computer transmits a set of N copy commands to the HID [col 5, lines 34-43] and the HID copies the tile image data into the frame buffer before displaying [i.e. copy the graphical data to location within the first memory region] [col 5, lines 1-8].

8.   In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, it would have been obvious to combine the teaching of Hanko and Clapp because

Hanko's teaching of repetitions information would allow to reduce transmission overhead in

communication system.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

10.   Claims 1, 2, 4-9, 12, 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Clapp et al. [US Patent No 6,073,192], in view of Hanko [US Patent No 6,483,515].

11.   As per claim 1, Clapp discloses the invention substantially as claimed including a method

of remotely controlling, by a server, the formation of an off-screen surface at a client coupled to

the server via a communications network, the method being performed at the server and

comprising the steps of:

        instructing the client to select a first memory region for allocation to the off-screen

surface [i.e. select a window and allocate memory for off-screen] [628 and 630, Figure 12;

and col 11, lines 33-41], the first memory region corresponding to a memory coupled to the

client [i.e. local off-screen window buffer] [604, Figure 11].

Clapp does not specifically disclose

transmitting indicia of a graphical data to the client; and

instructing the client to copy the graphical data associated with the indicia to a particular

location within the first memory region.

Hanko discloses

transmitting display information to remote system including the tile image data, number

of repetitions and coordinate data [Abstract; and col 7, lines 10-16]; and

the remote system copying the tile image data into the frame buffer [Abstract; and col 1,

lines 47-55].

It would have been obvious to a person skill in the art at the time the invention was made

to combine the teaching of Clapp and Hanko because Clapp's teaching of repetitions

information including coordinate data would allow data to be correctly stored for display.

12.   As per claim 2, Clapp discloses specifying a plurality of attributes associated with the

off-screen surface [Figure 10; and col 14, lines 7-23 and lines 47-67].

13.   As per claim 4, Clapp does not specifically disclose wherein the indicia of the graphical

data corresponds to an index, the index identifying a location of the graphical data within a

cache memory coupled to the client. Hanko discloses the replication information includes

coordinate data representing the position of the display area and storing the image data starting

at a location in a frame buffer corresponding to a coordinate location [col 1, lines 47-52; and

col 7, lines 11-15]. It would have been obvious to combine the teaching of Clapp and Hanko

because Hanko's teaching would enable faster access to information to increase system performance.

14.   As per claim 5, Clapp discloses instructing the client to update an on-screen surface associated with the client using the copied graphical data in the off-screen surface [i.e. the active window is brought to the foreground of the display] [col 11, lines 40-45; and col 12, lines 20-22].

15.   As per claim 6, Clapp discloses storing a duplicate of the off-screen surface in a memory coupled to the server [606, Figure 11].

16.   As per claim 7, Clapp discloses upon receiving an indication of an error condition, transmitting at least one portion of the duplicate off-screen surface to the client; and instructing the client to copy the at least one portion of the duplicate off-screen surface to an on-screen surface associated with the client [i.e. draw command to update window] [638, Figure 12; col 11, lines 46-64; and col 12, lines 23-36].

17.   As per claim 8, it is rejected for similar reasons as stated above in claim 7. Furthermore, Clapp discloses instructing the client to select a second memory region; and instructing the client to copy the graphical data to a particular location within the second memory region [i.e. double buffering] [col 10, lines 64-col 11, lines 4].

18.   As per claim 9, Clapp discloses wherein the graphical data corresponds to a bitmap [col

11, lines 43-46].

19.   As per claim 12, it is rejected for similar reasons as stated above in claim 1. Furthermore,

Clapp discloses client agent [242, Figure 11] and server agent [262, Figure 11].

20.   As per claim 14, it is rejected for similar reasons as stated above in claim 4.

21.   As per claim 15, it is rejected for similar reasons as stated above in claim 2.

22.   As per claim 16, it is rejected for similar reasons as stated above in claim 6.

23.   As per claim 17, it is rejected for similar reasons as stated above in claim 5. Furthermore,

Clapp discloser discarding the off-screen surface stored within the first memory region upon the

occurrence of an error condition [i.e. overwrite] [col 11, lines 60-64].

24.   As per claim 18, it is rejected for similar reasons as stated above in claim 9.

25.   Claims 3, 10, 11, 13, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Clapp et al. [US Patent No 6,073,192], in view of Hanko [US Patent No 6,483,515], and

further in view of Peterson [US Patent Application No 2003/0084052].

26.   As per claim 3, Clapp and Hanko do not specifically disclose wherein the indicia of the

graphical data corresponds to a fuzzy key, the fuzzy key identifying a location of the graphical

data within a persistent storage memory coupled to the client. Clapp discloses a fuzzy logic

used in searching and retrieving information in database and also a memory tag in a fuzzy logic

system that include descriptors that not only identify and classify but grade or weight the

information [paragraph 0006]. It would have been obvious to a person skill in the art at the

time the invention was made to combine the teaching of Clapp, Hanko and Peterson because

Peterson's teaching of fuzzy logic would provide a way to identify information for correct

update data to maintain its integrity.

27.   As per claim 10, Peterson discloses wherein the graphical data corresponds to a glyph [

paragraph 0096].

28.   As per claim 11, Peterson discloses wherein the graphical data corresponds to a strip [

0115].

29.   As per claim 13, it is rejected for similar reasons as stated above in claim 3.

30.   As per claims 19 and 20, they are rejected for similar reasons as stated above in claims 10

and 11.

31.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The

examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached at 3968. The fax phone number for the organization

where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

JOHN FOLLANSBEE
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Art Unit 2154